

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATE OF AMERICA,
EX REL KRAH PLUNKERT, *et al*,

Plaintiffs,

v.

MARYLAND BROADBAND
COOPERATIVE, *et al*.

Defendants.

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STATE OF MARYLAND’S NOTICE OF ELECTION TO DECLINE TO INTERVENE

This case was filed pursuant to the *qui tam* provisions of the Maryland False Claims Act. Md. Code Ann. Gen. Prov. §§ 8-101 through 8-111. The *qui tam* provisions of the Act allow a whistleblower to file suit on the State’s behalf. Md. Code Ann., Gen. Prov. § 8-104(a). The Act requires the State to notify the Court whether it wishes to intervene and proceed with litigating the case or to decline to intervene. *Id.* §8-104(a)(6). If the State “does not elect to intervene and proceed with the action . . . , before unsealing the complaint, the court shall dismiss the action.” Md. Code Ann., Gen. Prov. § 8-104(a)(7).

The State of Maryland hereby notifies the Court that it will not intervene in this action. In accordance with the False Claims Act, the State requests that all claims asserted on behalf of the State of Maryland be dismissed without prejudice.

WHEREFORE the State of Maryland requests that this case be dismissed without prejudice. A proposed order is attached.

Respectfully submitted,

ANTONTHY G. BROWN
Attorney General

/s/Shelly Marie Martin

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CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of April, 2023, the foregoing State of Maryland's
Notice of Election to Decline to Intervene was served first class mail, postage prepaid on:

Jay P. Holland
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Counsel for the United States

**Pursuant to the False Claims Act, Md. Code Ann., Gen. Prov. § 8-104(a)(3)(ii), (a)(4)
and (a)(5), this Motion was not served on the Defendants.**

/s/Shelly Marie Martin
Shelly Marie Martin